

BILL NO. Z-70-07-19

ZONING MAP ORDINANCE NO. Z-124-70

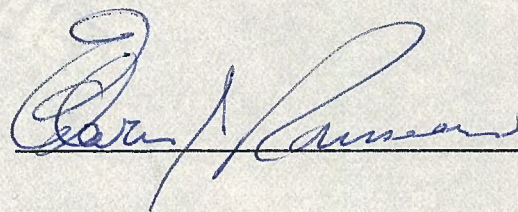
AN ORDINANCE amending the City of Fort Wayne
Zoning Map Nos. D-6, C-6, D-8 and C-8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby
designated a B-1-B District under the terms of Chapter 36,
Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended by General Ordinance No. 2836 and amendments thereto;
and the symbols on the City of Fort Wayne Zoning Map Nos. D-6,
C-6, D-8 and C-8 referred to therein, established by Section 9,
Article III of said Chapter as amended, are hereby changed
accordingly, to-wit:

Lot number two (2) of Ostrowski's Addition
to the City of Fort Wayne, Indiana, as re-
corded according to the plat thereof in
Plat Book 17, page 1, in the Office of the
Recorder of Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor, and
legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY



CITY ATTORNEY

Read the first time in full and on motion by D. Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the _____ day of _____, 196____, at _____ o'clock _____ P.M., E.S.T.

Date: 7-14-70

Frank J. Bonachoon
City Clerk

Read the third time in full and on motion by Dunifon seconded by Fay and duly adopted, placed on its passage.
Passed (~~lost~~) by the following vote:

	AYES <u>8</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT <u>1</u>	to-wit:
Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dunifon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Geake	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nuckols	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Robinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Rousseau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Steigerwald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tipton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Date 10-27-70

Frank J. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 2-124-70

on the 27th day of October, 19670.

ATTEST: (SEAL)

Frank J. Bonachoon
City Clerk

Herbert D. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of October, 19670 at the hour of 8:30 o'clock A.M., E.S.T.

Frank J. Bonachoon
City Clerk

Approved and signed by me this 28th day of October, 1970, at the hour of 9:10 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-07-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

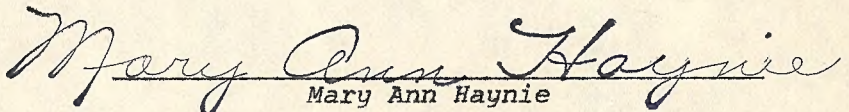
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 24, 1970.

Certified and signed this
26th day of October 1970.


Mary Ann Haynie
Secretary

Bill No. Z-70-07-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map Nos. D-6, C-6, D-8 and C-8,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

Jack K. Dunifon
Edwin J. Rousseau
Thomas G. Adams
William K. Geake
Phil A. Steigerwald
CONCURRED IN

DATE 10-27-70 FUAD G. BONAHOOM, CITY CLERK

RECEIPT

No 18

GENERAL FUND

FT. WAYNE, IND.,

June 24 19 70

RECEIVED FROM

Livingston Lildine Haynie & Yoder \$ 2500

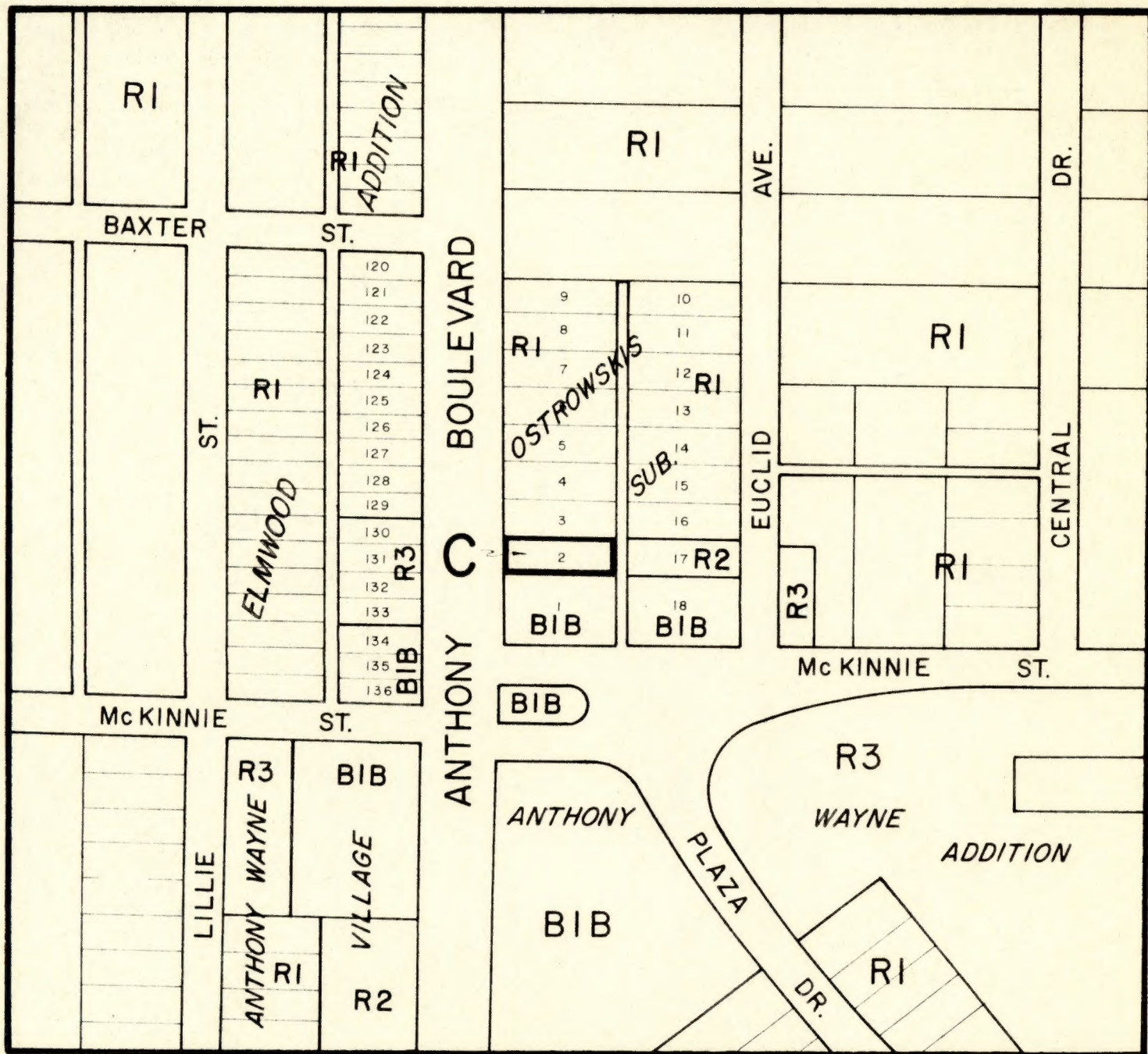
THE SUM OF

Ret. G. W. H. + Mabel Bach
Twenty - five and no 100 DOLLARS

ON ACCOUNT OF

Petition to rezone Lot # 7, Ostrowski's

AUTHORIZED SIGNATURE



C - CHANGE FROM R3 TO BIB

2-70-07-19



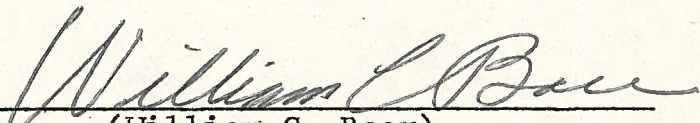
PETITION TO REZONE

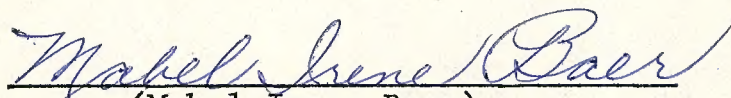
We, the undersigned, being the owners of more than fifty-one percent (51%) of the real estate hereinafter described do hereby respectfully petition the Common Council to enact an ordinance to reclassify from an "R-3" District to a "B-1-B" District, the real estate described as follows, to-wit:

Lot number two (2) of Ostrowski's Addition to the City of Fort Wayne, Indiana, as recorded according to the plat thereof in Plat Book 17, page 1, in the Office of the Recorder of Allen County, Indiana.

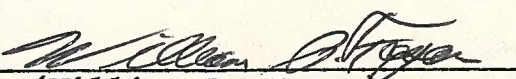
Subject property is shown on Page D-6 of the Zoning books of the City of Fort Wayne, Indiana.

Dated: 6-23, 1970.

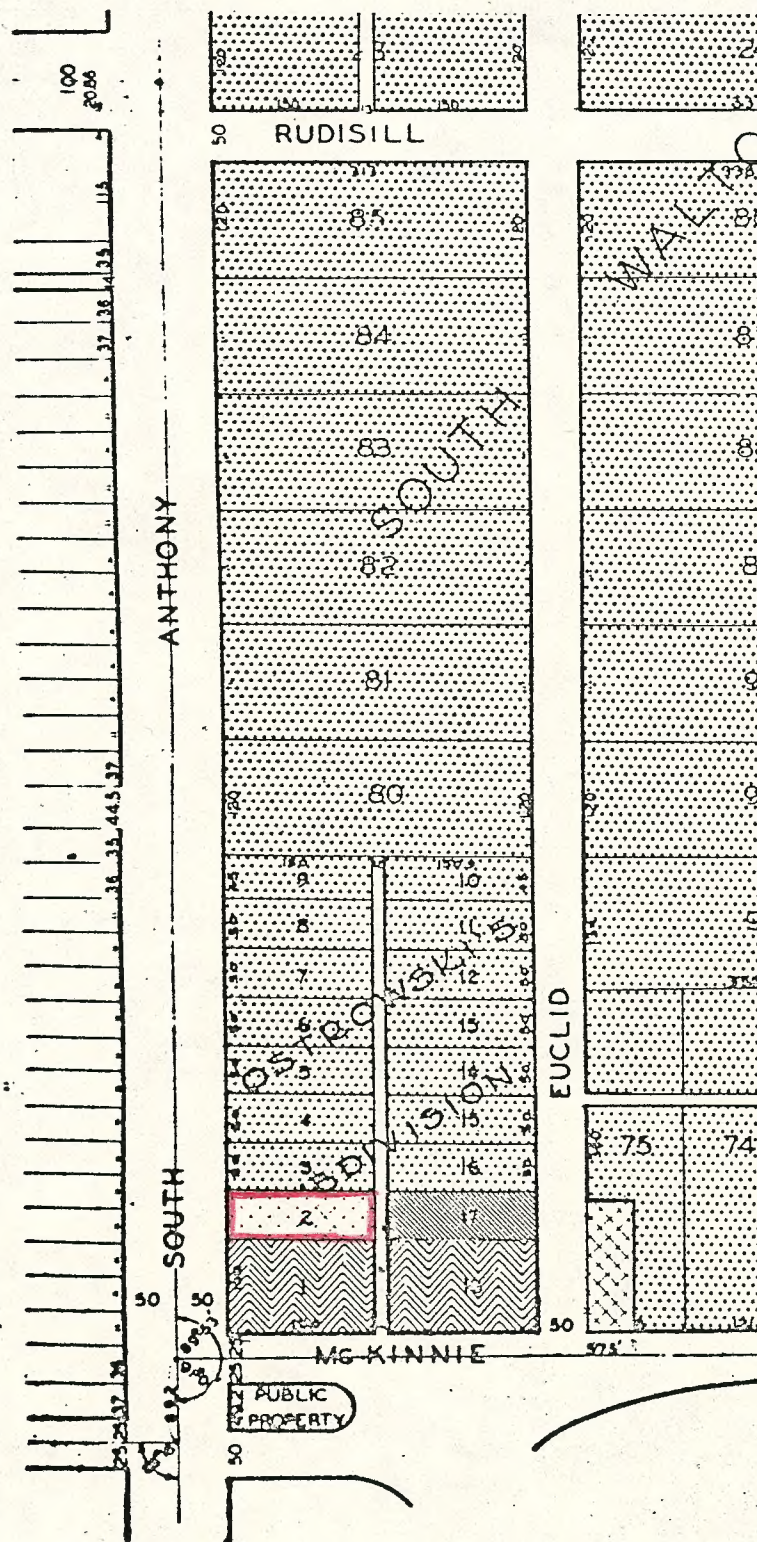

(William C. Baer)


(Mabel Irene Baer)

LIVINGSTON, DILDINE
HAYNIE & YODER
425 Lincoln Bank Tower
Fort Wayne, Indiana 46802

By 
(William P. Fagan)

Attorneys for Petitioners



LAW OFFICES
LIVINGSTON, DILDINE, HAYNIE & YODER
LINCOLN TOWER
FORT WAYNE, INDIANA 46802
TELEPHONE 742-8341

August 21, 1970

Mr. and Mrs. Keith C. Everson
4117 South Anthony Blvd.
Fort Wayne, Indiana

Re: Rezoning of Lot 2 of Ostrowski's
Addition in Fort Wayne, Indiana

Dear Mr. and Mrs. Everson:

C
O
P
Y

Pursuant to the telephone call which you made to me yesterday, I have prepared and herewith transmit the original and one copy of a letter prepared for your signature to remove your names from the remonstrance filed with the City of Fort Wayne Plan Commission against the rezoning of Lot 2 of Ostrowski's Addition. I understand, and I am confident that the Plan Commission will understand, how you happened to sign both the release of restrictions and consent to rezoning and the remonstrance against rezoning. I am confident that this is not the first time the Plan Commission has experienced this situation.

I understand that T. P. Morris will pick this letter up from you some time over the week end and deliver it to the Plan Commission to the attention of Mr. Thyral Neu not later than 12:00 noon on Monday. Unfortunately, the short time left will not allow the use of the mails. For your convenience, I enclose herewith an envelope properly addressed to Mr. Neu.

If you have any questions or comments please do not hesitate to contact me.

Very truly yours,

LIVINGSTON, DILDINE, HAYNIE & YODER

By


William P. Fagan

WPF:JD

LAW OFFICES
LIVINGSTON, DILDINE, HAYNIE & YODER
LINCOLN TOWER
FORT WAYNE, INDIANA 46802
TELEPHONE 742-8341

cc: Messrs. T. P. Morris
Albert Ray Williams
John Vanderploeg

C
O
P
Y

4117 South Anthony Blvd.
Fort Wayne, Indiana

August 22, 1970

City of Fort Wayne Plan Commission
425 South Calhoun Street
Fort Wayne, Indiana

Re: Petition to rezone Lot 2 of
Ostrowski's Addition

Gentlemen:

This is to confirm that we, fully understanding the ramifications thereof, executed a document captioned Amendment of Restrictions Upon Ostrowski's Subdivision and Consent to Rezoning of Part Thereof, as the owners of Lot 7 of Ostrowski's Subdivision, as our free act and deed. Thereafter, as the result of a misunderstanding of the facts, we signed a remonstrance against the rezoning of Lot 2 of that subdivision.

Please remove our names from that remonstrance. We have effectively released Lot 2 of Ostrowski's Subdivision from the restrictions originally imposed thereon so that Lot 2 may be used for service station purposes and we are not opposed to the rezoning of that lot for that purpose.

Very truly yours,

Keith C. Everson
Keith C. Everson

Grace M. Everson
Grace M. Everson

REMONSTRANCE

AGAINST PROPOSED ZONING MAP AMENDMENT

We the undersigned being the owners of real estate or living in the immediate vicinity of the area herein described do hereby remonstrate against the ordinance which proposes to change the classification of the following described real estate from a/an ~~****-R3---~~ District to a/an B-1-B District.

(Description)

Lot # 2 at the Northeast corner of McKinnie Avenue and Anthony Bouvelard in Ostrowski Addition.

July 21, 1970

Raymond Borne 4037 S. Anthony Blvd
 Bernice Borne 4037 S. Anthony Blvd
 F. J. Karthall 4045 S. Anthony
 H. Elsie Karthall 4045 S. Anthony Blvd.
 Keith C. Everson 4117 So. Anthony Blvd.
 Grace Everson 4117 S. Anthony Blvd.
 Melrose M. Carroll 4042 Euclid Ave.
 Edna Carroll 4042 Euclid Avenue
 Wayne M. Young 4113 S. Anthony
 Rosalie M. Young 4113 S. Anthony
 Helen M. Laurenty - 4128 Euclid
 Charlotte E. Wolf - 4040 So. Anthony
 Edward Wolf 4040 So. Anthony Blvd.
 George C. Simon 4030 So. Anthony Blvd.
 Hulda L. Simon 4000 So. Anthony Blvd.
 Owen Collins 4102 S. Anthony

Donna Johnson 4204 S. Anthony
 Louise M. Deekman 4210 S. Anthony
 Arthur F. Deekman 4210 So. Anthony
 Edward Lee Sands 4122 So. Anthony
 Diana Lee Sands 4122 So. Anthony



Common Council, City of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind. FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

79

2

81

COMPUTATION OF CHARGES

81 lines, 1 columns wide equals equivalent lines at 288¢ cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 23.33

\$ 23.33

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 1

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-17-70, 19

Arvilla De Wald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

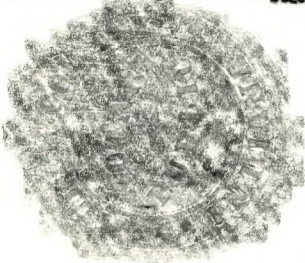
November 9 and 16, 1970

Subscribed and sworn to before me this 17th day of November 19 70

Edith Stapleton

Notary Public

My commission expires March 8, 1974



Notice is hereby given that on the 27th day of October, 1970, the Common Council of the City of Fort Wayne, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:

Bill No. Z-70-07-19
ZONING MAP ORDINANCE NO. Z-124-70
AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. D-6, C-6, D-8 and C-8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map Nos. D-6, C-6, D-8 and C-8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot number two (2) of Ostrowski's Addition to the City of Fort Wayne, Indiana, as recorded according to the plat thereof in Plat Book 17, page 1, in the Office of the Recorder of Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

EDWIN J. ROUSSEAU, Councilman.
Read the third time in full and on motion by Dunlison seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:
Ayes: eight.
Adams, Dunlison, Fay, Geake, Robinson, Rousseau, Stelgerwald, Tipton.
Nays: none.
Absent: one, to-wit: Councilman Nuckols.
Date: 10-27-70.

FUAD G. BONAHOOM, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-124-70 on the 27th day of October, 1970.

ATTEST: (Seal)
FUAD G. BONAHOOM, City Clerk.
HERBERT G. TIPTON, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of October, 1970, at the hour of 8:30 o'clock a.m., E.S.T.

FUAD G. BONAHOOM, City Clerk.
Approved and signed by me this 28th day of October, 1970, at the hour of 9:10 o'clock a.m., E.S.T.

HAROLD S. ZEIS, Mayor.
I, Fuad G. BonaHoorn, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map Ordinance No. Z-124-70 passed by the Common Council on the 27th day of October 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 28th day of October, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of October, 1970.

FUAD G. BONAHOOM, City Clerk.

SEAL
11-9, 16.

Common Council, City of Fort Wayne
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (50 cents for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 23.33

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5 1/2 point
Number of insertions two Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date 11-17-70, 19

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time, the dates of publication being as follows: November 9 and November 16, 1970

A. M. Hostman

Subscribed and sworn to before me this 17th day of November 1970

Edith Stapleton
Notary Public

My commission expires March 8, 1974

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Ayes: eight.
Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.
Nays: none.
Absent: one, to-wit: Councilman Nuckols.
Date: 10-27-70.

FUAD G. BONAHOOM, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-124-70 on the 27th day of October, 1970.

ATTEST: (Seal)

FUAD G. BONAHOOM, City Clerk.
HERBERT G. TIPTON, Presiding Officer.
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FUAD G. BONAHOOM, City Clerk.
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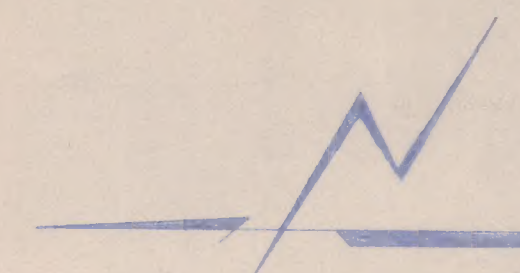
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of October, 1970.

FUAD G. BONAHOOM, City Clerk.

SEAL

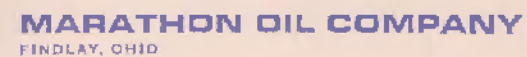
11-9, 76.

Legals



MARATHON OIL COMPANY
FINDLAY, OHIO

[illegible]

[illegible]